

111TH CONGRESS
2D SESSION

H. R. 6036

To improve foreign language instruction.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2010

Mr. HOLT (for himself and Mr. TONKO) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To improve foreign language instruction.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Excellence and Innova-
5 tion in Language Learning Act”.

6 **SEC. 2. FINDINGS; PURPOSES.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) According to a 2007 report by the National
9 Research Council, a pervasive lack of knowledge
10 about foreign cultures and foreign languages in this
11 country threatens the security of the United States,

1 as well as its ability to compete in the global mar-
2 ketplace and produce an informed citizenry.

3 (2) According to a 2007 report by the National
4 Research Council, early language learning in elemen-
5 tary school and secondary school is key to estab-
6 lishing a pipeline of students who can eventually
7 reach a high enough level of proficiency in foreign
8 languages and cultures to meet national needs.

9 (3) According to a 2006 report by the Com-
10 mittee for Economic Development, current efforts to
11 develop language skills and knowledge of world re-
12 gions at an early age are clearly inadequate to pre-
13 pare high school graduates with the skills necessary
14 for productivity and citizenship in an integrated
15 global economy.

16 (4) The American Council on the Teaching of
17 Foreign Languages found that only 18.5 percent of
18 students in kindergarten through grade 12 were en-
19 rolled in foreign language classes in the 2007–2008
20 school year. Furthermore, the length of time stu-
21 dents spent studying languages at school has stag-
22 nated, so that many students reach only introduc-
23 tory levels of proficiency.

24 (5) According to a 2009 report by the Center
25 for Applied Linguistics, language instruction in

1 schools has declined dramatically over the past dec-
2 ade. The percentage of elementary schools and mid-
3 dle schools offering foreign language instruction de-
4 creased significantly from 1997 to 2008, declining
5 from 31 percent to 25 percent for elementary
6 schools and 75 percent to 58 percent for middle
7 schools.

8 (6) Research demonstrates that success lies not
9 only in the number of years of learning but also in
10 having carefully sequenced, articulated programs of
11 language learning across a student's school experi-
12 ence, requiring bridging the gaps between levels in
13 foreign language education.

14 (7) According to research collected by the
15 American Council on the Teaching of Foreign Lan-
16 guages, children derive cognitive, academic, and so-
17 cial benefits from the opportunity to learn another
18 language at an early age.

19 (8) According to the Center for Applied Lin-
20 guistics, in 2008 significant disparities existed in
21 language learning opportunities, with students at
22 suburban schools having more opportunities than
23 students in rural schools, and students in private
24 schools having more opportunities than those in pub-
25 lic schools. For example, 15 percent of public ele-

1 elementary schools teach second languages in their
2 classrooms as opposed to 51 percent of private ele-
3 mentary schools.

4 (b) PURPOSES.—The purposes of this Act are as fol-
5 lows:

6 (1) Protecting our national security interests by
7 increasing the number of American students who
8 have access to quality kindergarten through grade
9 12 foreign language instruction in order to achieve
10 a high level of proficiency in such languages.

11 (2) Preparing American students to graduate
12 high school able to communicate in a second lan-
13 guage and operate within another cultural frame-
14 work in order to foster the competitiveness of the
15 United States in the global economy.

16 (3) Closing achievement gaps domestically and
17 internationally by providing American students equal
18 access to quality kindergarten through grade 12 for-
19 eign language instruction.

20 (4) Providing every student access to quality
21 language instruction as part of articulated kinder-
22 garten through grade 12 language sequences in
23 order to give every student the opportunity to be-
24 come proficient in other languages in addition to
25 English by high school graduation.

1 (5) Strengthening innovative preparation and
2 recruitment initiatives for future foreign language
3 teachers and enhance professional development op-
4 portunities for current teachers.

5 (6) Exposing elementary schoolchildren to for-
6 eign languages early in their educational career.

7 (7) Widely disseminating information on pro-
8 grams that demonstrate success.

9 **SEC. 3. NATIONAL ACTIVITIES.**

10 (a) IN GENERAL.—From the amounts made available
11 to carry out this section, the Secretary of Education shall
12 carry out the following national activities:

13 (1) Coordinating with the Secretary of State,
14 Secretary of Defense, Secretary of Commerce, and
15 the heads of other relevant Federal agencies to share
16 best practices in teaching and learning foreign lan-
17 guages.

18 (2) Providing incentives for States to adopt and
19 implement nationally recognized standards that are
20 developed and widely accepted by the language edu-
21 cation professionals community for foreign language
22 instruction in elementary and secondary education
23 and to disseminate information on effective language
24 assessments aligned to those standards.

1 (3) Supporting and disseminating research in
2 the areas of best practices in teaching and learning
3 foreign languages at elementary and secondary edu-
4 cation levels, including best practices with respect to
5 the instructional time and intensity of programs that
6 achieve high levels of student proficiency.

7 (4) Supporting the development and expansion
8 of existing nationally recognized proficiency-based
9 valid and reliable assessments for foreign languages
10 taught in kindergarten through grade 12.

11 (5) Providing scholarships for study-abroad op-
12 portunities for students in grades 6 through 12 and
13 for the teachers and prospective teachers of such
14 students.

15 (6) Providing scholarships for study-abroad op-
16 portunities linked to language learning for foreign
17 language teachers who teach at the elementary or
18 secondary education levels.

19 (7) Requiring the National Center for Edu-
20 cation Statistics to annually collect, analyze, and
21 internationally benchmark data on—

22 (A) the number of students reaching pro-
23 ficiency benchmarks at the elementary and sec-
24 ondary education level;

1 (B) the number of public elementary and
2 secondary schools, private elementary and sec-
3 ondary schools, and private heritage schools
4 that offer foreign language instruction;

5 (C) the languages taught and the levels of
6 instruction offered at public elementary and
7 secondary schools, private elementary and sec-
8 ondary schools, and private heritage schools;

9 (D) the number of teachers providing for-
10 eign language instruction at public elementary
11 and secondary schools, private elementary and
12 secondary schools, and private heritage schools,
13 including the languages and the levels of in-
14 struction taught at such schools; and

15 (E) the number of public elementary and
16 secondary schools that provide academic credits
17 for proficiency in language abilities acquired
18 outside of the public school system.

19 (8) Working with State educational agencies to
20 develop a standardized data collection method de-
21 scribed in section 4 to collect the data described in
22 paragraph (7).

23 (9) Disseminating nationally, including through
24 a Web-based clearinghouse, promising foreign lan-
25 guage learning and teaching practices and successful

1 program models for students in kindergarten
2 through grade 12, as developed under this section
3 and through other Department of Education pro-
4 grams; and

5 (10) Supporting partnerships of local and State
6 educational agencies with institutions of higher edu-
7 cation and other nonprofit educational organizations
8 to identify innovative, state-of-the-art technologies
9 and platforms that have been proven to be successful
10 for effective language instruction.

11 (b) COLLABORATION.—The activities described in
12 subsection (a) may be carried out by the Secretary directly
13 or through grants to, or contracts with, institutions of
14 higher education or public and private nonprofit agencies
15 and organizations.

16 (c) REPORTING.—Not later than 5 years after the
17 date of the enactment of this Act, the Secretary, after con-
18 sultation with State educational agencies, shall submit a
19 report to the Committee on Education and Labor of the
20 House of Representatives and the Committee on Health,
21 Education, Labor and Pensions of the Senate on—

22 (1) the use of funds authorized under this Act;
23 and

24 (2) how the programs and activities carried out
25 with such funds impacted—

- 1 (A) student language proficiency;
- 2 (B) the availability of foreign language
3 education programs in kindergarten through
4 grade 12;
- 5 (C) the number of early foreign language
6 programs; and
- 7 (D) the number of elementary school and
8 secondary school foreign language teachers.

9 (d) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated \$100,000,000 to carry
11 out this section for fiscal year 2011 and such sums as
12 may be necessary for each succeeding fiscal year.

13 **SEC. 4. STATE ACTIVITIES.**

14 (a) IN GENERAL.—From the amounts made available
15 to carry out this section, the Secretary shall award grants,
16 on a competitive basis, to States to improve elementary
17 school and secondary school foreign language learning pro-
18 grams in the State.

19 (b) APPLICATION.—In order to receive a grant under
20 this section, a State educational agency shall submit an
21 application to the Secretary at such time, in such manner,
22 and containing such information as the Secretary may re-
23 quire.

1 (c) USE OF FUNDS.—A State educational agency re-
2 ceiving a grant under this section shall use such grant
3 funds to carry out the following:

4 (1) DEVELOPING POLICY.—Develop foreign lan-
5 guage and international education policy and pro-
6 grams in the State to—

7 (A) provide for articulated pathways to-
8 ward language proficiency beginning in kinder-
9 garten through high school graduation; and

10 (B) build capacity for delivering foreign
11 language and international education to stu-
12 dents statewide;

13 (2) STATE FOREIGN LANGUAGE AND INTER-
14 NATIONAL EDUCATION ADVISORY COUNCIL.—

15 (A) APPOINTMENT.—Appoint a State for-
16 eign language and international education advi-
17 sory council (in this section referred to as the
18 “Council”) that includes representatives from—

19 (i) the State’s business community;

20 (ii) State economic development and
21 trade agencies;

22 (iii) small business bureaus;

23 (iv) military facilities;

24 (v) individuals with international and
25 area studies expertise; and

1 (vi) teachers and individuals with pro-
2 fessional expertise in language acquisition
3 from each of the following educational lev-
4 els:

5 (I) Kindergarten through grade
6 8.

7 (II) Grade 8 through grade 12.

8 (III) Higher education.

9 (B) DUTIES.—The Council shall be coordi-
10 nated by the Chief State School Officer or his
11 or her designee and—

12 (i) shall—

13 (I) advise the State educational
14 agency on the development of a State
15 needs assessment of—

16 (aa) the demand for people
17 with foreign language skills in
18 various professions and employ-
19 ment sectors throughout the
20 State;

21 (bb) the number and per-
22 centage of elementary and sec-
23 ondary schools in the State that
24 offer language programs;

1 (cc) the foreign languages
2 taught in the State's elementary
3 and secondary schools;

4 (dd) the number of foreign
5 language teachers in the State's
6 elementary and secondary
7 schools; and

8 (ee) the number of com-
9 prehensive statewide sequences of
10 foreign languages from kinder-
11 garten through high school grad-
12 uation;

13 (II) recommend approaches to
14 improve the teaching of foreign lan-
15 guages for students statewide based
16 on research-based best practices;

17 (III) recommend ways to expand
18 foreign language and international
19 education opportunities for students
20 statewide through innovative ap-
21 proaches, such as immersion, online,
22 and other hybrid language and inter-
23 national educational learning experi-
24 ences that use pedagogically sound
25 approaches;

1 (IV) work with professional
2 standards boards and State licensing
3 bodies, review teacher certification re-
4 quirements and, as needed, rec-
5 ommend changes to State certification
6 requirements to ensure high-quality
7 foreign language teachers;

8 (V) recommend strategies to ad-
9 dress any shortages of elementary and
10 secondary education teachers in com-
11 mon and less commonly taught lan-
12 guages within the State;

13 (VI) develop pathways for stu-
14 dents to achieve the advanced level of
15 proficiency on the American Council
16 on the Teaching of Foreign Lan-
17 guages proficiency scale or by other
18 nationally recognized measures of ad-
19 vanced standards of proficiency; and

20 (VII) develop and assist in imple-
21 mentation of a statewide outreach and
22 communications campaign to the pub-
23 lic on the importance of foreign lan-
24 guage and international education as

1 one of the prerequisites to success in
2 the 21st Century; and

3 (ii) may recommend alternative routes
4 to certification that employ equally rig-
5 orous standards for highly skilled teachers
6 of less commonly taught languages.

7 (3) STATE LANGUAGE AND INTERNATIONAL
8 EDUCATION COORDINATOR.—Designate a State lan-
9 guage and international education coordinator, or,
10 as appropriate, coordinators to oversee and coordi-
11 nate foreign language programs within the State to
12 oversee the planning, development, and implementa-
13 tion of the State foreign language policies described
14 in paragraph (1).

15 (4) FOREIGN LANGUAGE PROFICIENCY STAND-
16 ARDS.—Adopt nationally recognized foreign lan-
17 guage learning proficiency standards as well as stu-
18 dent foreign language assessments aligned to the
19 proficiency standards.

20 (5) PROFESSIONAL DEVELOPMENT PRO-
21 GRAMS.—Carry out teacher in-service and pre-serv-
22 ice professional development programs, including
23 summer institutes, that address the shortage of for-
24 eign language teachers in the State. Such activities
25 may be in partnership with local educational agen-

1 cies, institutions of higher education, and nonprofit
2 organizations, and may be consistent with model
3 program established under section 5.

4 (6) SCHOLARSHIPS AND INCENTIVES.—Provide
5 scholarships and incentives to recruit new teachers
6 and encourage practicing teachers to take advantage
7 of professional development opportunities.

8 (7) TECHNICAL ASSISTANCE.—Provide tech-
9 nical assistance to local programs for foreign lan-
10 guage education carried out in elementary schools or
11 secondary schools in the State.

12 (8) CARRY OUT RECOMMENDATIONS.—Carry
13 out recommendations of the State foreign language
14 and international education advisory council, as ap-
15 propriate.

16 (d) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated for \$100,000 to carry
18 out this section for fiscal year 2011 and such sums as
19 may be necessary for each succeeding fiscal year.

20 **SEC. 5. FOREIGN LANGUAGE EDUCATION PARTNERSHIP**
21 **PROGRAMS.**

22 (a) PROGRAM AUTHORIZED.—

23 (1) IN GENERAL.—From the amounts made
24 available to carry out this section, the Secretary
25 shall make incentive grants to eligible partnerships

1 to develop and maintain, or to improve and expand,
2 model programs that support articulated foreign lan-
3 guage learning in elementary schools and secondary
4 schools.

5 (2) PLANNING AND DEVELOPMENT.—For the
6 first 2 fiscal years an eligible partnership receives
7 funds under paragraph (1) for a model program on
8 a less-commonly-taught foreign language, the Sec-
9 retary may allow that partnership, based on dem-
10 onstrated need, to use funds for planning and devel-
11 opment activities based on nationally recognized
12 standards in foreign language education, including—

13 (A) development of an articulated instruc-
14 tional curriculum for the less-commonly-taught
15 foreign language to which the model program
16 relates;

17 (B) in-service and pre-service development
18 of teachers, and development of curriculum and
19 language assessments in the less commonly
20 taught foreign language to which the model
21 program relates; and

22 (C) development of contextual programs
23 and curriculum materials related to the less
24 commonly taught foreign language to which the

1 model program relates, as described in sub-
2 section (d).

3 (b) APPLICATIONS.—

4 (1) IN GENERAL.—Each eligible partnership de-
5 siring a grant under this section shall submit an ap-
6 plication to the Secretary such time, in such man-
7 ner, and containing such information as the Sec-
8 retary may require, including the information de-
9 scribed in paragraph (2).

10 (2) CONTENTS.—Each application shall—

11 (A) identify each member of the partner-
12 ship, provide contact information and letters of
13 commitment for each such member, and de-
14 scribe the responsibilities of each such member,
15 including—

16 (i) identifying the member that will
17 receive and manage the grant;

18 (ii) specifying how each member will
19 be involved in the planning, development,
20 and implementation of the activities pro-
21 posed under the grant;

22 (iii) describing the resources to be
23 provided by each member; and

24 (iv) describing how each member will
25 contribute to ensuring the continuity of

1 student progress in foreign language pro-
2 ficiency from kindergarten through grade
3 12;

4 (B) describe how an articulated curriculum
5 for students to achieve an advanced level of pro-
6 ficiency by grade 12 will be developed and im-
7 plemented;

8 (C) identify target proficiency levels for
9 students at critical benchmarks, and describe
10 how progress toward those proficiency levels will
11 be assessed at the benchmarks;

12 (D) describe how the partnership will sup-
13 port and continue the program after the grant
14 has expired, including how the partnership will
15 seek support from other sources, such as State
16 and local governments, foundations, and the
17 private sector;

18 (E) describe which assessments will be
19 used or, if assessments are not available, how
20 assessments will be developed; and

21 (F) describe how the proposed program
22 will meet nationally recognized standards in for-
23 eign language education.

24 (c) CONTEXTUAL DIMENSION.—A model program
25 may not receive an incentive grant under this section un-

1 less it includes a dimension, carried out in conjunction
2 with foreign language instruction, under which each for-
3 eign language learner also participates in programs to ex-
4 pand the understanding and knowledge of historic, geo-
5 graphic, cultural, economic, and other contextual factors
6 of countries with populations who speak the foreign lan-
7 guage to which the model program relates.

8 (d) USE OF FUNDS.—

9 (1) REQUIRED USES.—An eligible partnership
10 shall use an incentive grant under this section—

11 (A) to design programs and teaching strat-
12 egies informed by the best practices recognized
13 by the foreign language education field and by
14 the best available research;

15 (B) to develop curriculum materials based
16 on an articulated framework or approach de-
17 signed to bring students to an advanced level of
18 foreign language proficiency by grade 12;

19 (C) to recruit students and teachers for
20 model programs that support articulated for-
21 eign language learning in elementary schools
22 and secondary schools; and

23 (D) to carry out teacher in-service and pre-
24 service professional development programs, in-

1 including summer institutes, that support the
2 model programs; and

3 (2) AUTHORIZED USES.—An eligible partner-
4 ship may use an incentive grant under this section—

5 (A) to develop nationally recognized assess-
6 ments for kindergarten through grade 12 for
7 the foreign language to which the model pro-
8 gram relates, if such assessments do not exist
9 for that language;

10 (B) to enhance nationally recognized as-
11 sessments for kindergarten through grade 12
12 for the foreign language to which the model
13 program relates, if such assessments already
14 exist for that language;

15 (C) to provide scholarships and incentives
16 to recruit new teachers and encourage prac-
17 ticing teachers to take advantage of the profes-
18 sional development opportunities;

19 (D) to provide opportunities for maximum
20 foreign language exposure for students domesti-
21 cally, such as the creation of immersion envi-
22 ronments in the classroom and school, on week-
23 end or summer experiences, and special tutor-
24 ing and academic support;

1 (E) to provide for the possibility for mul-
2 tiple entry points for studying the foreign lan-
3 guage;

4 (F) in an amount equal to not more than
5 20 percent of such grant received in a fiscal
6 year, to provide scholarships for study-abroad
7 opportunities related to the foreign language to
8 which the model program relates for students in
9 grades 9 through 12 and teachers and prospec-
10 tive teachers of such students;

11 (G) to create partnerships with elementary
12 and secondary schools in other countries to fa-
13 cilitate language and cultural learning and ex-
14 change;

15 (H) to carry out activities to integrate for-
16 eign languages into the school curriculum and
17 generate whole-school collaboration, including
18 activities and support for teachers of other sub-
19 jects and administrators;

20 (I) to carry out activities to encourage
21 community involvement;

22 (J) to obtain technical assistance in the de-
23 velopment and implementation of the model
24 program funded under this section;

1 (K) to incorporate effective and innovative
2 uses of technology to enhance student learning
3 and teaching;

4 (L) to recruit or appoint a language super-
5 visor to oversee and coordinate the progress of
6 the articulated foreign language program across
7 grade levels in the local educational agency
8 funded with the incentive grant;

9 (M) to work with professional standards
10 boards and State licensing bodies, review teach-
11 er certification requirements and, as needed,
12 recommend changes to State certification re-
13 quirements to ensure high-quality foreign lan-
14 guage teachers; and

15 (N) recommend alternative routes to cer-
16 tification that employ equally rigorous stand-
17 ards for highly skilled teachers of less com-
18 monly taught languages.

19 (e) RESEARCH AND EVALUATION.—

20 (1) IN GENERAL.—A model program may not
21 receive an incentive grant under this section unless
22 it includes a research and evaluation component,
23 under which—

1 (A) information is collected and analyzed
2 regarding the effectiveness of activities carried
3 out under the program, including—

4 (i) program design;

5 (ii) student and teacher recruitment
6 strategies;

7 (iii) curricular approaches;

8 (iv) teacher development and pro-
9 ficiency levels; and

10 (v) foreign language assessment in-
11 struments;

12 (B) information is collected and analyzed
13 regarding the impact of each activity in sub-
14 paragraph (A) on the foreign language pro-
15 ficiency of the students;

16 (C) information is collected and analyzed
17 regarding program participation, including data
18 on student enrollments and numbers of foreign
19 language teachers; and

20 (D) the information collected, and the
21 analyses of that information, are made widely
22 available to the public.

23 (2) STANDARDIZATION.—The Secretary shall
24 provide guidelines to standardize the categories of
25 information collected and analyzed under paragraph

1 (1) and the manner in which that information is col-
2 lected, analyzed, and made available to the public.

3 (f) DURATION OF PAYMENTS.—

4 (1) INITIAL INCENTIVE GRANT.—An initial in-
5 centive grant under this section shall be awarded to
6 an eligible partnership awarded for a period of 4
7 years.

8 (2) RENEWAL INCENTIVE GRANTS.—An eligible
9 partnership that received an initial incentive grant
10 under this section may be eligible for 2 additional 5-
11 year awards under this section, but only if the part-
12 nership demonstrates, based on nationally recognized
13 standardized foreign language assessments, that the
14 model program carried out with funds received
15 under this section is effective.

16 (g) MATCHING REQUIREMENT.—

17 (1) IN GENERAL.—An eligible partnership that
18 receives a grant under this section shall provide, to-
19 ward the cost of carrying out the activities sup-
20 ported by the grant, from non-Federal sources an
21 amount equal to not less than the applicable per-
22 centage of the amount of the grant.

23 (2) APPLICABLE PERCENTAGE.—For purposes
24 of paragraph (1), the term “applicable percentage”
25 means—

1 (A) for the first fiscal year of the first
2 grant received under this section, 20 percent;

3 (B) for the second fiscal year of the first
4 grant received under this section, 30 percent;

5 (C) for the third fiscal year of the first
6 grant received under this section, 40 percent;

7 and

8 (D) for the fourth fiscal year of the first
9 grant received under this section and for each
10 fiscal year of each succeeding grant received
11 under this section, 50 percent.

12 (3) NON-FEDERAL SHARE.—The non-Federal
13 share required under paragraph (1) may be provided
14 in cash or in kind.

15 (4) WAIVER.—The Secretary may waive, in
16 whole or in part, the matching requirement in para-
17 graph (1) for any fiscal year if—

18 (A) the eligible partnership demonstrates
19 hardship and the waiver will best serve the pur-
20 poses of this section; or

21 (B) the foreign language to which the
22 model program relates is a less commonly
23 taught foreign language as determined by the
24 Secretary.

1 (h) SUPPLEMENT NOT SUPPLANT.—Grant funds
2 provided under this section shall be used to supplement,
3 not supplant, other Federal and non-Federal funds avail-
4 able to carry out the activities described in this section.

5 (i) DATA COLLECTION, ANALYSIS, DISSEMINATION,
6 AND TECHNICAL ASSISTANCE.—

7 (1) IN GENERAL.—The Secretary may reserve
8 not more than 3 percent of the total amount appro-
9 priated for this section for any fiscal year to—

10 (A) annually collect and analyze data on
11 the programs under this section; and

12 (B) disseminate nationally, including
13 through a Web-based clearinghouse—

14 (i) aggregated data collected under
15 subparagraph (A);

16 (ii) promising kindergarten through
17 grade 12 foreign language learning and
18 teaching practices and successful program
19 models developed under this section;

20 (iii) provide grant application tech-
21 nical assistance to prospective grantees
22 through the website established under this
23 subsection, including foreign language edu-
24 cation resource information and contacts
25 available at State and local educational

1 agencies, institutions of higher education,
2 and nonprofit educational organizations.

3 (2) COLLABORATION.—The activities described
4 in paragraph (1) may be carried out by the Sec-
5 retary directly or through grants and contracts to
6 institutions of higher education and public and pri-
7 vate nonprofit agencies and organizations.

8 (j) AUTHORIZATION OF APPROPRIATIONS.—There is
9 authorized to be appropriated \$200,000,000 to carry out
10 this section for fiscal year 2011 and such sums as may
11 be necessary for each succeeding fiscal year.

12 **SEC. 6. DEFINITIONS.**

13 In this Act:

14 (1) EARLY FOREIGN LANGUAGE PROGRAM.—
15 The term early foreign language program means a
16 foreign language program offered as part of a pre-
17 kindergarten program.

18 (2) ELIGIBLE PARTNERSHIP.—

19 (A) IN GENERAL.—The term “eligible
20 partnership” means a partnership that—

21 (i) shall include—

22 (I) one or more local educational
23 agencies or State educational agen-
24 cies, or both; and

1 (II) subject to subparagraph (B),
2 1 or more institutions of higher edu-
3 cation, where the institution has and
4 may include in the partnership—

5 (aa) a school, department,
6 or program within the institution
7 or institutions of higher edu-
8 cation that provides a teacher
9 preparation program;

10 (bb) a school, department,
11 program, or center within the in-
12 stitution or institutions of higher
13 education that provides a pro-
14 gram of study or research in for-
15 eign languages; and

16 (cc) a school, department,
17 program, or center within the in-
18 stitution or institutions of higher
19 education that provides programs
20 of study about the historic, geo-
21 graphic, cultural, economic, and
22 other contextual factors of the
23 world area or country with popu-
24 lations who speak the foreign lan-

1 guage to which the model pro-
2 gram relates; and

3 (ii) may also include 1 or more busi-
4 nesses, or nonprofit organizations with ex-
5 pertise in kindergarten through grade 12
6 language learning.

7 (B) WAIVER.—The Secretary may waive
8 the requirement in subparagraph (A)(i)(II), if
9 the prospective grantee demonstrates the inabil-
10 ity to secure an institution of higher education
11 as a partner for the purposes of receiving a
12 grant under section 5, including as a remote,
13 digitally connected partner, after making a good
14 faith effort to secure such institution.

15 (3) ADVANCED LEVEL OF PROFICIENCY.—The
16 term “advanced level of proficiency” means the ad-
17 vanced level as measured by the American Council
18 on the Teaching of Foreign Languages, or level 2 as
19 measured by the Federal Interagency Language
20 Roundtable or by other nationally recognized meas-
21 ures of advanced standards of proficiency.

22 (4) ARTICULATED.—The term “articulated”
23 means that each grade level of the foreign language
24 program is designed to sequentially expand on the
25 student achievement of the previous level with a goal

1 toward achieving an established level of language
2 proficiency.

3 (5) HERITAGE SCHOOL.—The term “heritage
4 school” means a school that—

5 (A) offers foreign language instruction or
6 tutoring, and cultural education related to a
7 foreign country; and

8 (B) serves students who are enrolled, on a
9 full-time basis, in a public or private elementary
10 school or secondary school that is not a heritage
11 school.

12 (6) INSTITUTION OF HIGHER EDUCATION.—The
13 term “institution of higher education” has the
14 meaning given in section 101 of the Higher Edu-
15 cation Act of 1965.

16 (7) SECRETARY.—The term “Secretary” means
17 the Secretary of Education.

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